



United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

November 17, 2022

**BY ECF**

The Honorable P. Kevin Castel  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007

**Re:     *United States v. Raul Silva, 20 Cr. 120 (PKC)***

Dear Judge Castel:

The Government respectfully writes concerning scheduling in the above-referenced matter.

As the Court is aware, the parties have for some time been actively engaged in plea discussions, and the Court has granted several requests to adjourn the parties' respective deadlines for pretrial submissions while those plea discussions were ongoing. As alluded to in the Government's letter dated November 9, 2022, however, the parties now anticipate that this matter will proceed to trial.

At present, the Government's deadline to file its pretrial submissions is November 18, 2022; the defendant's deadline is November 28, 2022; and the final pretrial conference is scheduled for December 6, 2022. Given, however, that a trial date has not yet been set in this matter, the parties respectfully propose that the pending deadlines and final pretrial conference be adjourned, and that the Court instead set a trial date and a pretrial schedule along the lines of the following<sup>1</sup>:

- Government's proposed *voir dire*, proposed requests to charge, motions *in limine*, and Rule 404(b) notice six weeks before trial;
- Defendant's motions *in limine* and responses to the Government's submissions four weeks before trial;
- Government's replies two weeks before trial; and

The dates for final pretrial submissions and responses are adjourned to a date to be set at the December 6 conference.

SO ORDERED  
JMF  
VSDS  
11-22-22

<sup>1</sup> The Government notes that the undersigned attorney has another trial, expected to last approximately two weeks, set to begin January 9, 2023.

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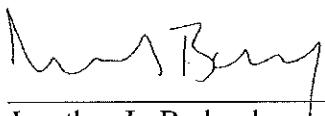
- Final pretrial conference one week before trial.<sup>2</sup>

Finally, the Government respectfully requests, with the consent of the defendant, that the time between today and the adjourned final pretrial conference be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Government respectfully submits that the ends of justice served by the granting of the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, as the proposed exclusion will allow the parties time to prepare and file pretrial submissions and to prepare for trial itself.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:

  
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Jonathan L. Bodansky  
Assistant United States Attorney  
(646) 957-1800

Cc: Eric R. Breslin, Esq.

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<sup>2</sup> Alternatively, if the Court is not amenable to adjourning the pending deadlines and final pretrial conference in this manner, the Government respectfully requests a short final adjournment of its deadline to file pretrial submissions to November 21, 2022; and a brief corresponding adjournment of the defendant's deadline to November 29, 2022.